



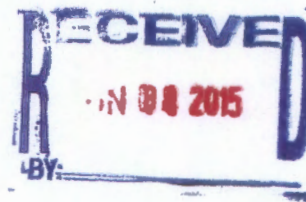
National Freedom of Information Officer

United States Environmental protection Agency

Mail Code: 2822T

1200 Pennsylvania Avenue N.W.

Washington, D.C. 20460



**RE: FOIA REQUEST**

To Whom It May Concern:

Pursuant to the Freedom of Information Act 5 United States Code (U.S.C.) 552 as amended I hereby make the following request as a private sovereign United States citizen.

This request includes all documents that have ever been within your custody or control whether they exist in agency "working" investigative, retired, electronic mail or other files currently or at any other time as they relate to the following:

- 1.) Hydrofluorosilicic Acid [(HFSA) with a chemical composition of ( $H_2SiF_6$ )] is a byproduct of the phosphate fertilization production process which is being added to the nation's drinking water supply and is being discharges by water reclamation facilities to waterbodies (e.g., lakes and rivers, a.k.a. "waters of the U.S.") as fluoride. HFSA is a highly toxic substance regulated under 15 United States Code (U.S.C.) Chapter 53, Section 2620, a.k.a. Section 21 of the Toxic Substance Control Act (TSCA). Fluoride is regulated under 40 CFR §122, Appendix "D", Table IV "Conventional and Non - Conventional Pollutants.
- 2.) Glyphosate has an Agent Orange component of 2,4 - Dichlorophenoxy Acetic Acid (a.k.a. 2,4 - D) and the other Agent Orange component is 2,4,5 - Trichlorophenoxy Acetic Acid (a.k.a. 2,4,5 - T) both are regulated under 40 CFR §122, Appendix "D", Table V "Toxic Pollutants and Hazardous Substances". Glyphosate has been identified in recent studies to be present in human urine, drinking water, breast milk and on food, amongst documented adverse health effects.

3.) Hydraulic Fracking that is contaminating groundwater and leachate that has migrated into waterbodies (e.g., lakes and rivers, a.k.a. "waters of the U.S.") and sensitive environmental areas. Some of the compounds used in the hydraulic fracking process are: Methanol ( $\text{CH}_3\text{OH}$ ), BTEX [Benzene ( $\text{C}_6\text{H}_6$ )<sup>1</sup>, Toluene ( $\text{C}_7\text{H}_8$ )<sup>1</sup>, Ethylbenzene ( $\text{C}_8\text{H}_{10}$ )<sup>1</sup> and Xylene ( $\text{C}_8\text{H}_{10}$ )<sup>3</sup>], Diesel Fuel, Lead (Pb)<sup>2</sup>, Hydrogen Fluoride (HF), Naphthalene ( $\text{C}_{10}\text{H}_8$ )<sup>1</sup>, Sulfuric Acid ( $\text{H}_2\text{SO}_4$ ), Formaldehyde (i.e., Methanal) ( $\text{H}_2\text{CO}$ )<sup>3</sup> and Crystalline Silica being are regulated under 40 CFR §122, Appendix "D", Tables II, III & V. This would include all other organic and inorganic compounds used in the hydraulic fracking process that are not stated here.

**NOTE:** *Superscript "1" refers to Table II, Superscript "2" refers to Table III and Superscript "3" refers to Table V. Whereas, Hydrogen Fluoride (HF) and Sulfuric Acid ( $\text{H}_2\text{SO}_4$ ) would be covered under 40 CFR §122, Appendix "D", Table IV as "Fluoride" and "Sulfate" containing compounds. Diesel Fuel, Crystalline Silica and Methanol ( $\text{CH}_3\text{OH}$ ) are not identified in 40 CFR §122, Appendix "D", however, are still relevant to my inquiry.*

4.) Particulate matter of 2.5  $\mu\text{m}$  (a.k.a. P.M. 2.5) human studies.

5.) Neonicotinoid pesticides (e.g. Sulfoxaflor, Imidacloprid, etc.) human and pollinator (e.g., bees, monarch butterflies and humming birds) studies.

6.) Atmospheric Aerosol Geoengineering and Bioengineering human and environmental (soil, air, water, plant and animal) studies.

I am seeking all of this information in #1 - #6 above as it relates to the following:

I.) Any authorized and unauthorized human short term and long term experimentation/testing/studies and related health effects including all data.

II.) Any authorized and unauthorized pollinator (e.g., bees, monarch butterflies and humming birds), environmental (soil, air, water, plant and animal) in conjunction with human short term and long term experimentation/testing/studies and related pollinator (e.g., bees, monarch butterflies and humming birds), environmental and human health effects including all data.

III.) EPA awarded grants in whole or part related to any human, environmental (soil, air, water, plant and animal) and pollinator (e.g., bees, monarch butterflies and humming birds) experimentation/testing/studies, this would include all submitted grant proposals and awarded grants with any identifying grant numbers, contract numbers, etc.

IV.) EPA participation in whole or part with other government agencies, government departments or government ministries, including but not limited to corporate partnerships and contractors.



**NOTE:** (A) Government includes federal, state, provincial, regional, county and city, (B) Corporate includes quasi-corporations (e.g., CDC) and Think - Tanks (e.g., AEI, Heritage Foundation, Rockefeller Foundation, etc.) and (C) Contractors include corporations (e.g., laboratories) where contracted personnel may work at a designated EPA location or at the contracted facility or both, as well as universities.

V.) The names of delegated government permitting authority from the federal, state, provincial, regional, county and city levels authorizing non-consented, unsolicited and uncontrolled human and environmental exposure to and the experimentation/testing/studies of these chemicals on the public without their knowledge, their consent and are not being informed of any adverse short and long term human health and environmental affects.

VI.) List of all the following:

- i.) Drinking Water Authorities (i.e., Permittees) adding HFSA to their drinking water and groundwater supply. [See #1 above]
- ii.) Permittees and Permit limits for groundwater and drinking water containing fluoride [See #1 above], components of Glyphosate [See #2 above] and components of Hydraulic Fracking fluid [See #3 above].
- iii.) Permittees and Permit limits for groundwater containing hydraulic fracking fluid. [See #3 above]
- iv.) Permit limits for human exposure to P.M. 2.5. [See #4 above]
- v.) Permit limits for human, environmental (soil, air, water, plant and animal) and pollinator (e.g., bees, monarch butterflies and humming birds). [See #5 above]
- vi.) Permit limits that would include all anthropogenic deposition components of Atmospheric Aerosol Geoengineering and Bioengineering. [See #6 above]

VII.) Included in (i) - (vi) above would include any permitted variance, Consent Decrees, Administrative Orders or any other legal decision(s) by the courts or any mutual agreement(s) between USEPA and permittee or any waiver(s) granted by the USEPA. This would include the reason(s) for any of these decisions being granted by the USEPA and/or the courts.

The release of the requested information is not only in my interest as a private sovereign United States citizen but is in the interest of the general public as a whole. I do not wish to receive under this request and hereby disclaim any interest in of the names of any individual USEPA personnel and that none of the responsive documents constitute "records" under the Privacy Act of 1974.

For any documents or portions of documents for which you assert specific exemption(s) from the requirements of the Freedom of Information Act, please provide an index itemizing and describing the documents or portions of the documents withheld. The index should, to the holding of *Vaughn v. Rosen* (484 F.2d 820 [D.C. Cir. 1973] cert. denied, 415 U.S. 977 [1977]), provided a detailed justification for claiming a particular exemption that explains why each exemption applies to the document or portion of a document withheld.

I request that **all fees be waived** because disclosure of the information is in the interest of the general public as a whole (I am part of the "public") and is not in any way of a commercial interest of the requestor under [5 United States Code (U.S.C.) 552(a)(4)(A)]. Disclosure of the above information is in the interest of the public because disclosure will contribute significantly to the public's understanding of the serious ramifications of such unsolicited human and environmental experimentation/testing/studies and the resulting short and long term cumulative effects on the health both from a human health and environment prospective.

If you have any questions about this FOIA request, please feel free to contact me by phone at 630 - 340 - 4351 or by email at thermal12man@comcast.net . Please send the documents responsive to this FOIA request by electronic mail to the address above or by United States Postal Service (USPS) to me at 2997 Arbor Lane; Aurora, Illinois; Postal Code: 60502. I look forwarded to receiving the agency's final response within twenty (20) twenty working days from the time that this FOIA request is received (i.e., no later than Monday, 06 July 2015).

Cordially,

  
Michael E. Davis

*Monday, 01 June 2015*



THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

January 21, 2009

January 21, 2009

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Freedom of Information Act

A democracy requires accountability, and accountability requires transparency. As Justice Louis Brandeis wrote, "sunlight is said to be the best of disinfectants." In our democracy, the Freedom of Information Act (FOIA), which encourages accountability through transparency, is the most prominent expression of a profound national commitment to ensuring an open Government. At the heart of that commitment is the idea that accountability is in the interest of the Government and the citizenry alike.

The Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails. The Government should not keep information confidential merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears. Nondisclosure should never be based on an effort to protect the personal interests of Government officials at the expense of those they are supposed to serve. In responding to requests under the FOIA, executive branch agencies (agencies) should act promptly and in a spirit of cooperation, recognizing that such agencies are servants of the public.

All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving FOIA.

The presumption of disclosure also means that agencies should take affirmative steps to make information public. They should not wait for specific requests from the public. All agencies should use modern technology to inform citizens about what is known and done by their Government. Disclosure should be timely.

I direct the Attorney General to issue new guidelines governing the FOIA to the heads of executive departments and agencies, reaffirming the commitment to accountability and transparency, and to publish such guidelines in the *Federal Register*. In doing so, the Attorney General should review FOIA reports produced by the agencies under Executive Order 13392 of December 14, 2005. I also direct the Director of the Office of Management and Budget to update guidance to the agencies to increase and improve information dissemination to the public, including through the use of new technologies, and to publish such guidance in the *Federal Register*.

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This memorandum does not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

The Director of the Office of Management and Budget is hereby authorized and directed to publish this memorandum in the *Federal Register*.

BARACK OBAMA

# # #



**ROBERT BERMAN**  
1915 Grand Court  
Vienna, VA 22182

V.

**Defendant.**

## COMPLAINT

1. This action is brought under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, *et seq.*, as amended, in order to compel the Department of the Interior, Minerals Management Service ("MMS") to disclose records wrongfully withheld after a FOIA request and subsequent appeal from Plaintiff. FOIA requires that federal agencies respond to public requests for documents, including files maintained electronically, in order to increase public understanding of the workings of government and access to government information.
2. Plaintiff's FOIA request sought records that reflect on issues pertaining to MMS taking Royalty-In-Kind offerings for off-shore crude oil. MMS is a sub-agency of the